



Board of Adjustment Case Report

City of Raleigh
Department of City Planning
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2475
www.raleighnc.gov

Case File: A-62-15

Property Address: 222 Hawthorne Road

Property Owner: Susan Arrendell & Edwin F. Harris, Jr.

Project Contact: Edwin F. Harris, Jr.

Nature of Case: A request for a Special Use Permit to enlarge an existing nonconforming principle structure by less than 25% in a Neighborhood Conservation Overlay District and an 13.3' southern side yard setback variance from the regulations set forth in Section 2.2.1 of the Unified Development Ordinance both of which are being sought to allow for a rear/side facing addition that results in a 4.9' side yard setback along the southern side of a .20 acre property zoned Residential-6 and Neighborhood Conservation Overlay District.



222 Hawthorne Road – Location Map

To BOA: 8-10-15

Staff Coordinator: Eric S. Hodge, AICP

ZONING

DISTRICTS: Residential-6 and Neighborhood Conservation Overlay District (Cameron Park)



222 Hawthorne Road – Zoning Map

VARIANCE STANDARDS: In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions

that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Setback Standards: The subject property is zoned Residential-6

<u>Yard Type</u>	<u>Minimum Setback</u>
Primary Street	10'
Side Street	10'
Side	5'
Sum of Sides	15'
Rear	20'

Neighborhood Conservation Overlay District: Cameron Park

a. Core Area

i. Maximum lot size: 21,779 square feet.

ii. Front yard setback:

Within 10% of the average front yard setback of houses on the same block face. No portion of any garage or carport shall protrude beyond the primary facade of the principal structure. Covered porches shall be considered part of the primary facade. For corner lots with driveway access from the secondary side, attached garage entrances must be set back at least 10 feet from the secondary side building elevation. A secondary side elevation is the alternative side of a corner lot house that faces a roadway, but does not include a primary entrance to the house.

iii. Side yard setback:

Within 5 feet of the average side yard setback and corner side yard setback of other properties on the block face, but no less than 5 feet. **(Average is 23.2' in this case so side setbacks must be between 18.2' – 28.2')**

iv. Setback for accessory structures:

Side and rear yard setbacks for accessory structures, including those greater than 150 square feet shall be a minimum of 3 feet.

v. Maximum building height:

30 feet with the exception of those lots fronting on Park Drive between Oberlin Road and Forest Road (except the lots fronting the south side of Park Drive, between Oberlin Road and Groveland Avenue), all lots fronting on West Johnson Street and on the south side of Peace Street, and the 3 lots fronting the south side and the 4 lots fronting the north side of Park Drive immediately west of St. Mary's Street (Wake County Registry: DB 08350, PG 1823; DB 02660, PGO-E-; DB 11659, PG 1800; DB 02425, PG 0670; DB 12811, PG 0908; DB 07129, PG 0713; DB 09060, PG 1175), which shall be limited to a maximum building height of 26 feet.

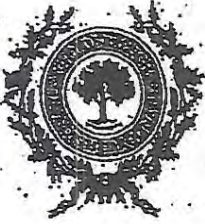
vi. Building placement and building entrance:

The orientation of the building and entry level of the main entrance to the building shall be located in a manner that is the same as the majority of the buildings on the block face.

vii. Vehicular surface areas:

New driveways onto public streets shall not be allowed for lots adjacent to alleys. Within that portion of the front yard area (as measured perpendicular to the right-of-way), between the principal building and the public street, new vehicular surface area shall not be permitted except where there are no adjacent alleys and when driveways are constructed alongside the house in the shortest practical distance from the right-of-way to the rear of the building. Parking areas and any other vehicular surface area installed prior to the August 3, 2010 shall not be deemed a zoning nonconformity. No vehicular entrance to a garage attached to the principal structure shall face the front yard. Maximum driveway width shall be limited to 12 feet for single driveways and 20 feet for shared driveways.

As with all NCOD's, all lots and structures existing at the time that the -NCOD is first applied to the property shall not be deemed nonconforming solely because of this overlay district.



Planning & Development

Development Services
Customer Service Center
One Exchange Plaza
1 Exchange Plaza, Suite 400
Raleigh, North Carolina 27601
Phone 919-996-2495
Fax 919-516-2685

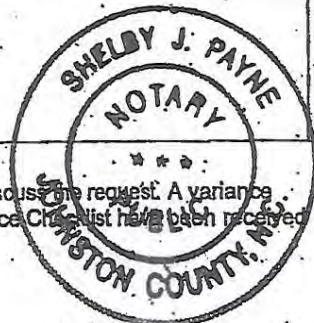
Variance Request Application

A-62-15

OFFICE USE ONLY	
Nature of variance request (Submit addendum on separate sheet, if more space is needed.) SEE ADDENDUM	Transaction Number
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.	

GENERAL INFORMATION			
Property Address	222 HAWTHORNE ROAD		Date
Property PIN	1704114551	Current Zoning	R6
Nearest Intersection	HAWTHORNE & AMBLESIDE		Property size (in acres) .20
Property Owner	SUSAN ARREDELL EDWIN F. HARRIS, JR.	Phone	919.274.8114
		Fax	—
		Email	ABIEHARRIS@AOL.COM
Project Contact Person	EDWIN F. HARRIS, JR.	Phone	919.274.8114
		Fax	—
		Email	ABIEHARRIS@AOL.COM
Property Owner Signature	<i>Edwin F. Harris</i> <i>Susan Arrendell</i>	Email	ABIEHARRIS@AOL.COM
Notary	Notary Signature and Seal		
Sworn and subscribed before me this <u>6</u> day of <u>June</u> , 20 <u>15</u>	<i>Shelby J. Payne</i> <i>Sp May 10, 2019</i>		

It is improper to contact any member of the Board of Adjustment prior to the disposition of a case to discuss the request. A variance application will not be considered complete until all required submittal components listed on the Variance Checklist have been received and approved.





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Variance Checklist

	YES	N/A
TO BE COMPLETED BY APPLICANT		
PRE-SUBMITTAL REQUIREMENTS		
1. Pre-application meeting with staff	✓	
2. Completed Variance Intake Requirements sheet	✓	
3. Variance applications shall be submitted to the Zoning Division, 4 th floor of One Exchange Plaza	✓	
VARIANCE REQUIREMENTS		
1. The property owner must be the applicant.	✓	
2. A signed, notarized application and submittal fee are required.	✓	
3. The applicant must submit stamped envelopes addressed to the property owners within 100 feet of the subject property. City staff will mail the public hearing notices.	✓	
4. The Board of Adjustment conducts a quasi-judicial hearing. You may not contact the Board members once the application has been filed.	✓	
5. The Board of Adjustment is not empowered to modify zoning lines or grant a use variance.		
6. The Board of Adjustment may attach conditions of approval to a variance to protect surrounding properties.		
7. City Staff will place a public hearing sign on the subject property. The sign must be prominently displayed on the property for at least ten days before the hearing. The property owner is responsible for maintaining the sign during this ten day period. The owner must return the sign to city staff within three days of the hearing. The owner will be charged \$45 for any sign not returned.		
VARIANCE CONSIDERATIONS		
The Board of Adjustment will review all variance requests against the following showings:		
1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made from the property.		
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.		
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.		
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.		



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Variance Application Intake Requirements

TO BE COMPLETED BY APPLICANT	COMPLETED BY CITY STAFF				
	YES	N/A	YES	NO	N/A
General Requirements – Variance					
1. I have referenced the Variance Checklist and by using this as a guide, it will ensure that the application is processed in a timely manner	<input checked="" type="checkbox"/>				
2. Variance application review fee (see Development Fee Schedule for rate)	<input checked="" type="checkbox"/>				
3. Completed, notarized application signed by the property owner	<input checked="" type="checkbox"/>				
4. One set of stamped envelopes addressed to all property owners within 100 feet of the subject property	<input checked="" type="checkbox"/>				
5. List of all adjacent property owners	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
6. Plot Plan drawn to scale, containing a north arrow, area of lot, location of all existing improvements and use areas, location of proposed improvements, location of any constraints such as flood plain area, tree conservation area, buffer yards, easements, and sight distance triangles	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
7. If the variance request involves a structure, sign or fence, architectural elevations must be submitted	<input type="checkbox"/>	<input type="checkbox"/>			
8. If the property has been cited by a Code Enforcement Officer, include a copy of the citation	<input type="checkbox"/>	<input type="checkbox"/>			
9. Is variance needed to legalize an existing improvement?	<input type="checkbox"/>	<input type="checkbox"/>			



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Pre-Application Conference

This form must be provided at the time of formal submittal.

PROCESS TYPE	
<input checked="" type="checkbox"/>	Board of Adjustment (Contact: <u>Eric Hodge</u>) - 919-556-2637 / <u>eric.hodge@raleighnc.gov</u>
<input type="checkbox"/>	Comprehensive Plan Amendment (Contact: <u>Dan Becker</u>)
<input type="checkbox"/>	Rezoning (Contact: <u>DeShele Sumpter</u>)
<input type="checkbox"/>	Site Review* (Contact: <u>Stacy Barbour</u>)
<input type="checkbox"/>	Subdivision (Contact: <u>Christine Darges</u>)
<input type="checkbox"/>	Subdivision (Exempt) (Contact: <u>Peggy Goodson</u>)
<input type="checkbox"/>	Text Change (Contact: <u>Travis Crane</u>)
* Optional conference	

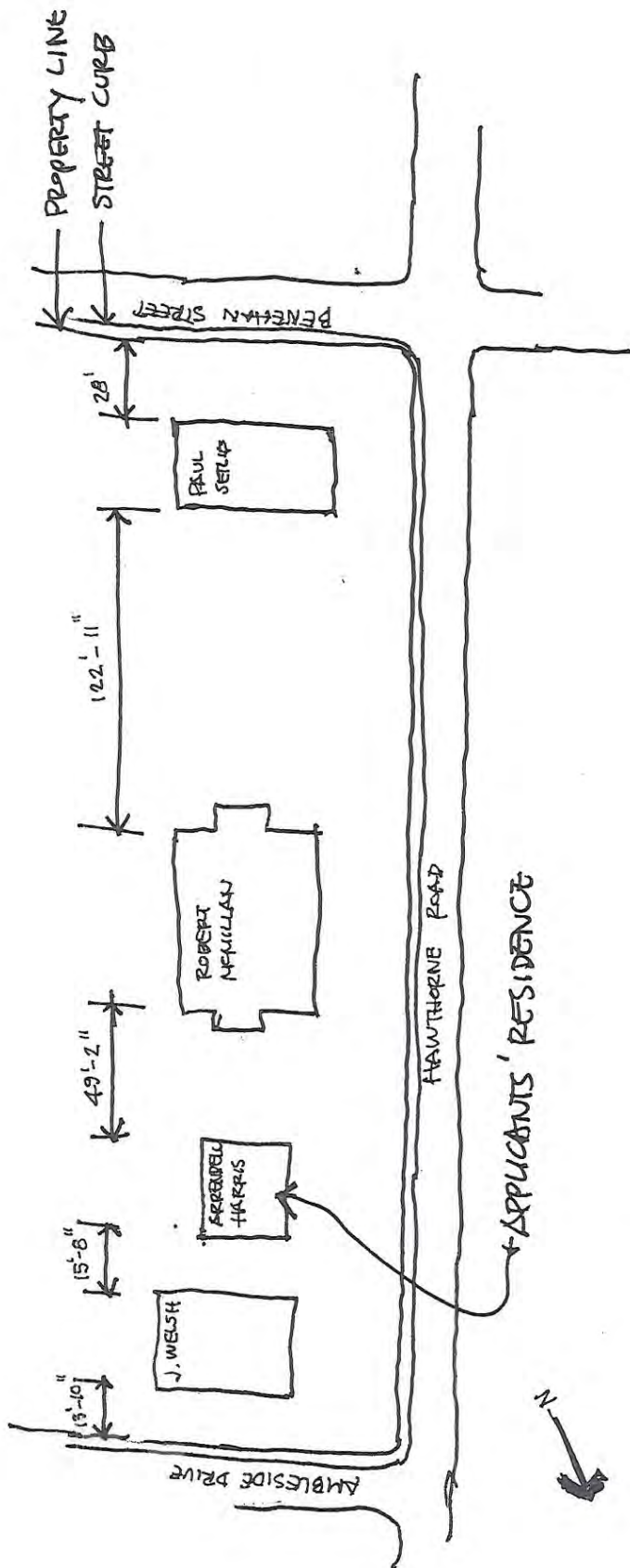
GENERAL INFORMATION	
Date Submitted	7.9.15
Applicant(s) Name	EDWIN F. HARRIS, JR. & SUSAN APPENDELL
Phone	919.274.8114
Email	ABIEHARRIS@AOL.COM / SUSANAPPENDELL@AOL.COM
Property PIN #	1704114551
Site Address / Location	222 HAWTHORNE ROAD
Current Zoning	R-6
Additional Information (if needed)	

FOR OFFICE USE ONLY	
Transaction #	
Date of Pre-Application Conference	July 8, 2015
Staff Signature	<i>[Signature]</i>

Nature of Variance Request

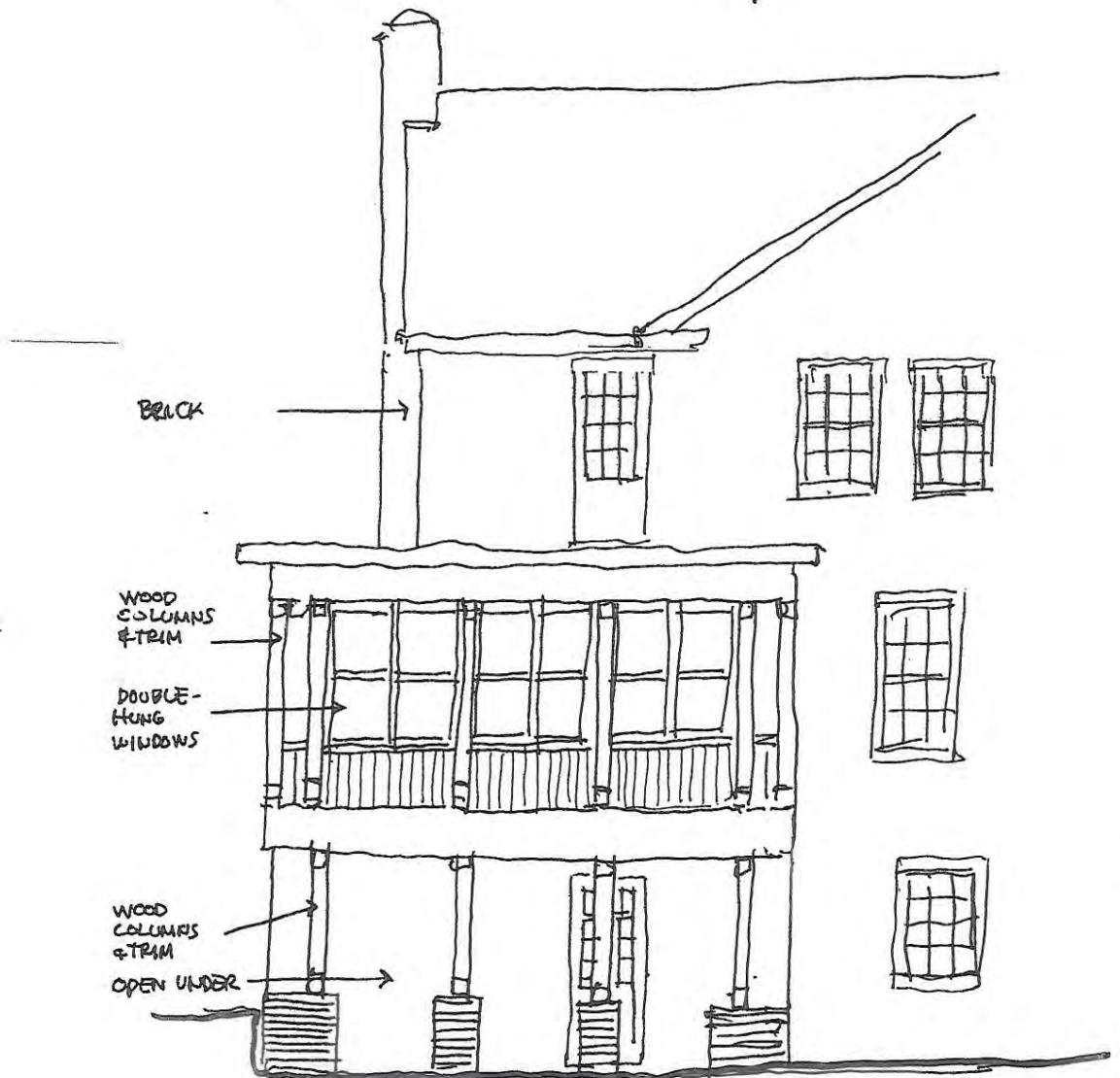
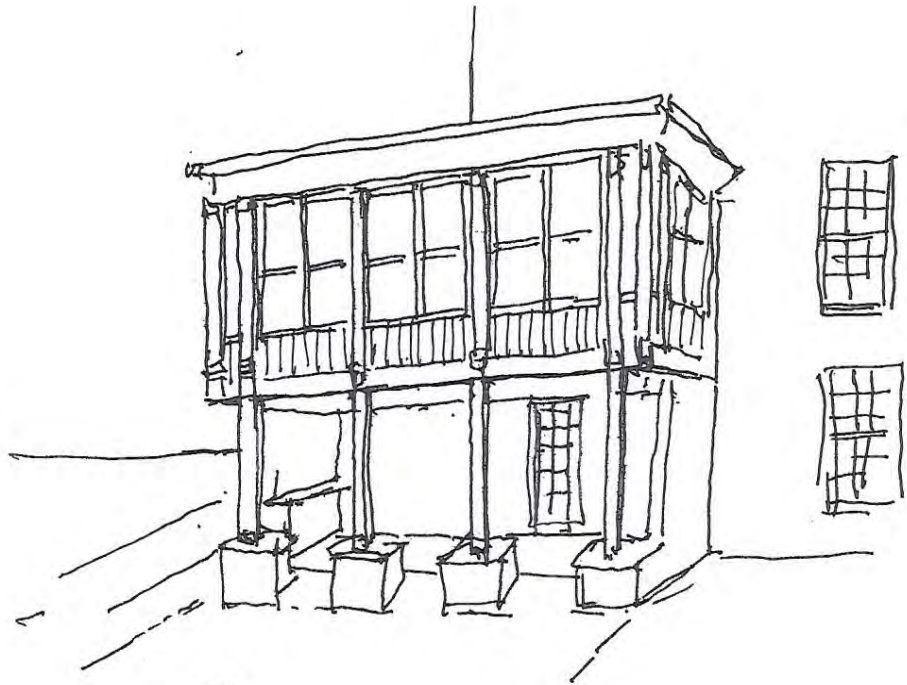
Our screen porch was demolished by a 141 year old white oak tree that fell on June 19, 2015. Our intention is to rebuild on the screen porch footprint, adding two feet to the width, use the original architectural details, and condition the space so that it can serve as a sunroom and a first level future bedroom. The owner is 81 years old, has lived in the house since 1966, and desires to live in the house as long as possible. Rebuilding a conditioned space rather than a screen porch allows a bedroom on the main level (one does not currently exist) and for the owner to remain in his home for as long as desired.

Arrendell/Harris 222 Hawthorne Road



SIDE YARD DISTANCES BETWEEN HOUSES

MEASURED BY: EDWIN F. HARRIS, JR. F.A.A.
ARCHITECT EMERITUS
7.2.2015



ELEVATION OF PROPOSED

1/4" = 1'



EDWIN F. HERRIN F.A.A.
ARCHITECT EMERITUS

ARREDELL/HARRIS

222 HAWTHORNE RD

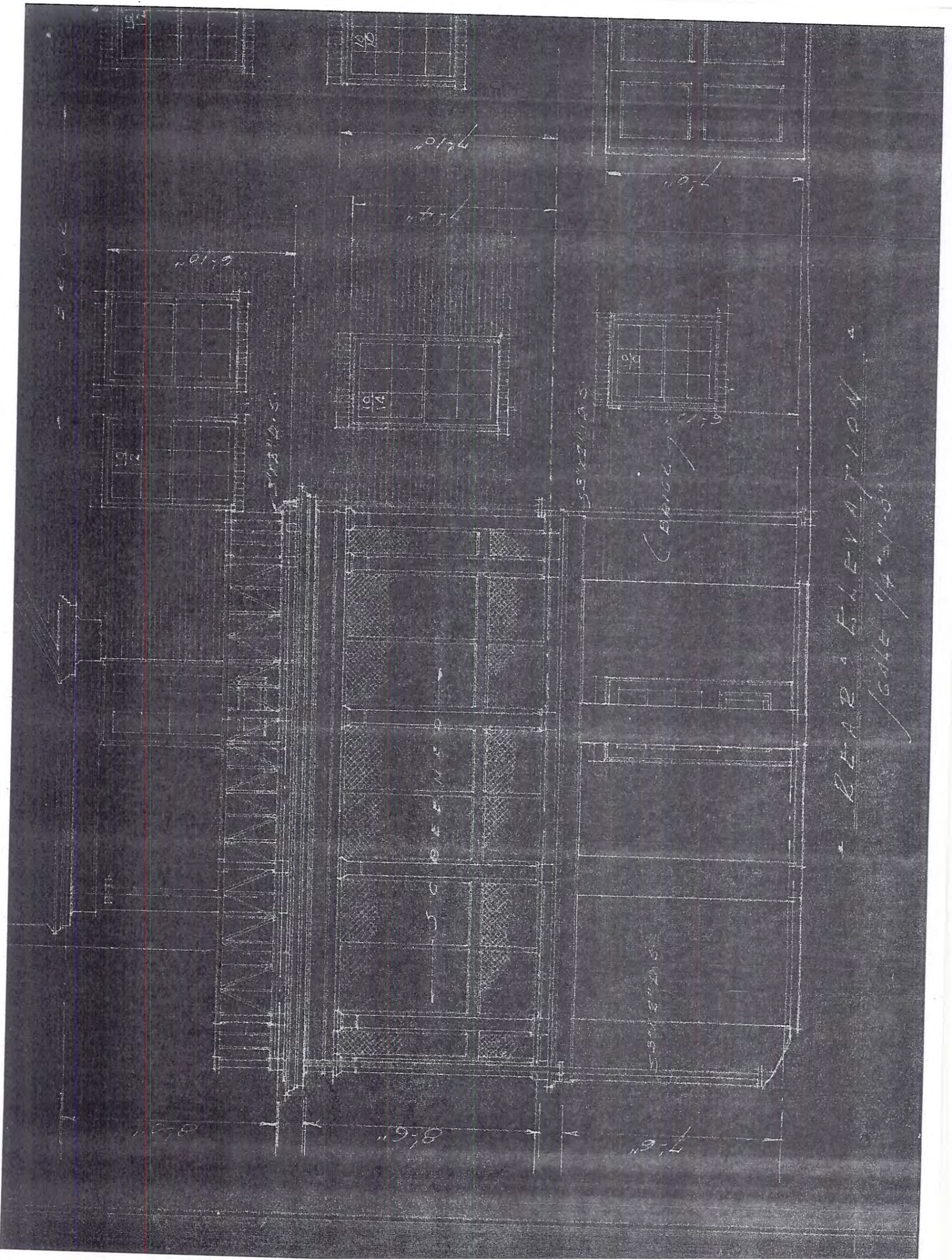
7.5.15

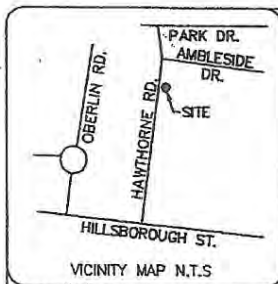
→ • THE 140 YR. OLD WHITE OAK THAT FELL



- SCREEN PORCH PRIOR TO BEING DESTROYED BY TREE
- PROPOSAL IS TO REBUILD AND ENCLOSE USING THE SAME ARCHITECTURAL DETAILS.

APPENDIX/HAPPY
222 HATTHORNS ROAD





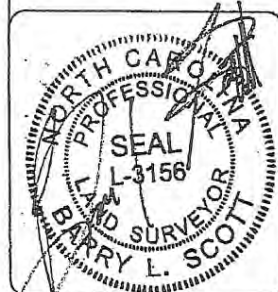
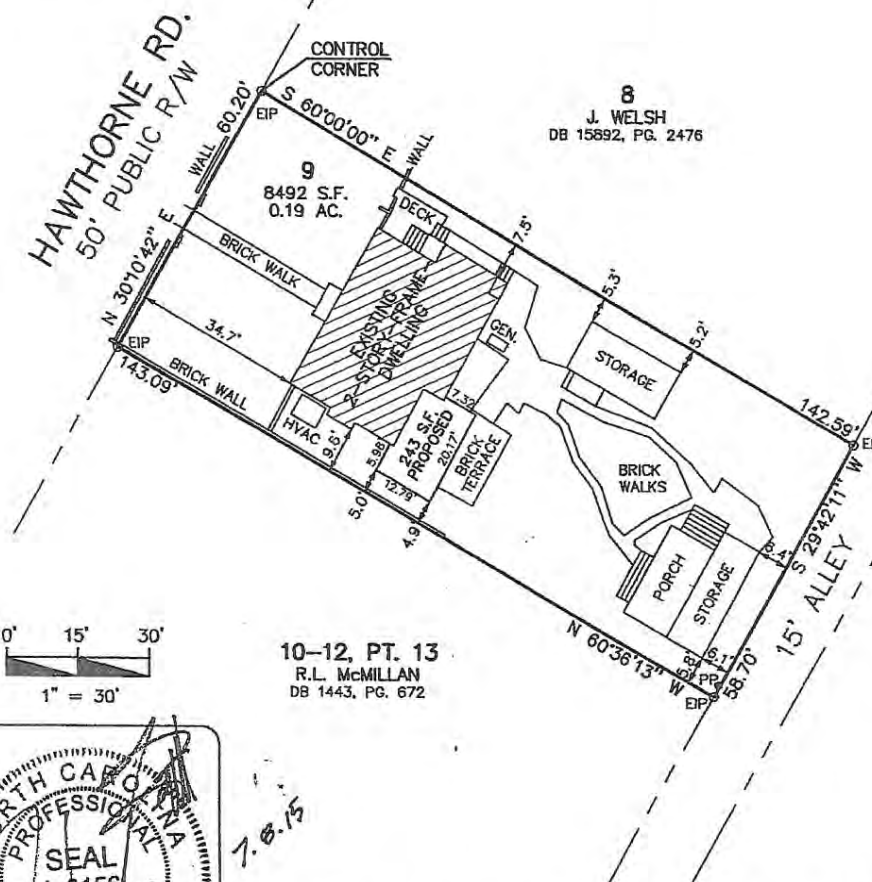
PLAN INFORMATION BLOCK		
Footprint: 243 S.F.	Total Square Feet:	
Craw:	Slab:	Basement:
Mean Height:	Stories:	
Facade:		
Total	Impervious Surface Area: 3238 S.F.	

ALL CONSTRUCTION SHALL BE DONE
IN ACCORDANCE WITH ALL CITY
OF RALEIGH AND NCDOT STANDARDS
AND SPECIFICATIONS

NORTH DB 4854, PAGE 161

LEGEND

IPS—Iron Pin Set
EIP—Existing Iron Pin
PKS—Parker-Kalon Nail Set
EPK—Existing Parker-Kalon Nail
PP—Power Pole
OHP—Over Head Power
CL—Center Line
R/W—Right of Way
PL—Property Line
— Lines Not Surveyed
ECM—Existing Concrete Monument



PIN#: 1704114551

TOWNSHIP: RALEIGH

ZONE: R-6

LOT 9, BLK 8, CAMERON PARK
AS RECORDED IN BOM 1911, PAGE 9 W.C.R.

I, Barry L. Scott, certify that this plat was drawn under my supervision from (an actual survey made under my supervision) (deed description recorded in Book 9038, page 1775, etc.) (other), that the ratio of precision as calculated by latitude and departures is 1/10,000, that the boundaries not surveyed are shown as broken lines plotted from information found in (SEE REFERENCE).
Witness my original signature, registration number and seal this 8th day of July, A.D. 2015

PROPERTY OF
EDWIN HARRIS, Jr.
SUSAN ARRENDELL

222 HAWTHORNE RD.

WAKE COUNTY

RALEIGH, N.C.

SCALE: 1" = 30'

DATE: 7-8-15

BOOK: M504/31



B. L. SCOTT
LAND SURVEYING
PROFESSIONAL LAND SURVEYORS
P.O. BOX 10912 - RALEIGH, NORTH CAROLINA 27602
TEL: 919/222-2444 FAX: 919/222-1000



222 Hawthorne Road



1704114551
HARRIS, EDWIN JR HARRIS, SUSAN
ARRENDELL
222 HAWTHORNE RD
RALEIGH NC 27605-1635

1704111492
BOSWELL, JOHN G BOSWELL, DIANE D
211 HAWTHORNE RD
RALEIGH NC 27605-1634

1704112530
VAN, DYK THEODORE VAN, PAMELA
217 HAWTHORNE RD
RALEIGH NC 27605-1634

1704112565
SCHMIDT, PAUL M SCHMIDT, LORI D
219 HAWTHORNE RD
RALEIGH NC 27605-1634

1704112690
MUSSELWHITE, MARGARET SAUNDERS
221 HAWTHORNE RD
RALEIGH NC 27605-1634

1704113399
MCMILLAN, ROBERT L
216 HAWTHORNE RD
RALEIGH NC 27605-1635

1704113626
LAU, CHARLES LAU, HOLNING
223 HAWTHORNE RD
RALEIGH NC 27605-1634

1704113760
CUNNINGHAM, JAMES CALVIN III
CUNNINGHAM, ELIZABETH...
225 HAWTHORNE RD
RALEIGH NC 27605-1634

1704114586
WELSH, JONATHAN
224 HAWTHORNE RD
RALEIGH NC 27605-1635

1704115354
HARVEY, LINDA R HARVEY, JAMES D
221 FOREST RD
RALEIGH NC 27605-1757

1704115379
LUNSFORD, LOWELL T II LUNSFORD,
JULIA O
223 FOREST RD
RALEIGH NC 27605-1757

1704115479
WILFONG, RICK S WILFONG, MONICA D
1615 AMBLESIDE DR
RALEIGH NC 27605-1622

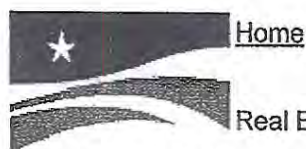
1704115619
DONAHUE, KEITH P J NELSON, MEREDITH
A
1618 AMBLESIDE DR
RALEIGH NC 27605-1623

1704115687
DONAHUE, KEITH P J NELSON, MEREDITH
A
1618 AMBLESIDE DR
RALEIGH NC 27605-1623

1704116417
SANNES, BARBARA E SANNES, PHILIP L
1611 AMBLESIDE DR
RALEIGH NC 27605-1622

1704116451
DONAHUE, KEITH P NELSON, MEREDITH A
225 FOREST RD
RALEIGH NC 27605-1757

1704116642
PARKER, THOMAS G PARKER, LOUISE H
1614 AMBLESIDE DR
RALEIGH NC 27605-1623

[Home](#)

Wake County Real Estate Data Account Summary

[iMaps](#)[Tax Bills](#)

Real Estate ID 0028662 PIN # 1704114551

Location Address

222 HAWTHORNE RD

Property Description

LO9 CAMERON PK PROP BL8

[Account](#)[Search](#)[Pin/Parcel History](#) [Search Results](#) [New Search](#)[Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

For real estate accounts created or new construction built after January 1, 2015: Property values are under review for tax year 2016. Land and building values on these properties will reflect an assessment based on the January 1, 2008 Schedule of Values until late 2015 or early 2016 at which time the January 1, 2016 revaluation values for both land and buildings will be available.

Property Owner HARRIS, EDWIN JR & SUSAN ARRENDELL Use the Deeds tab above to view any additional owners		Owner's Mailing Address 222 HAWTHORNE RD RALEIGH NC 27605-1635	Property Location Address 222 HAWTHORNE RD RALEIGH NC 27605-1635
Administrative Data Old Map # D019-D0078-0005 Map/Scale 1704 17 VCS 01RA300 City RALEIGH Fire District Township RALEIGH Land Class R-<10-HS ETJ RA Spec Dist(s) Zoning R-6 History ID 1 History ID 2 Acreage .20 Permit Date 8/11/2010 Permit # 0000088008		Transfer Information Deed Date 8/15/2001 Book & Page 09038 1775 Revenue Stamps Pkg Sale Date Pkg Sale Price Land Sale Date Land Sale Price Improvement Summary Total Units 1 Recycle Units 1 Apt/SC Sqft Heated Area 2,937	Assessed Value Land Value \$328,000 Assessed Bldg. Value \$294,996 Assessed Tax Relief Land Use Value Use Value Deferment Historic Deferment Total Deferred Value Use/Hist/Tax Relief Assessed Total Value \$622,996 Assessed*

*Wake County assessed building and land values reflect the market value as of January 1, 2008, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2008 values will remain in effect until the next county-wide revaluation, which begins January 1, 2016. Until that time, any real estate accounts created or new construction built is assessed according to the 2008 Schedule of Values.

For questions regarding the information displayed on this site, please contact the Revenue Department at RevHelp@wakegov.com or call 919-856-5400.

PIN # 1704114551

Property Description
LO9 CAMERON PK PROP BL8

Account
Search

[Pin/Parcel History](#) [Search Results](#) [New Search](#)

Account	Buildings	Land	Deeds	Notes	Sales	Photos	Tax Bill	Map
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<http://services.wakegov.com/realestate/Building.asp?id=0028662&ctyme=addr.&ctymum=??> 6/20/2015